

photos

21
23 AUG 1995

1. CASE NO. 950727CCN2494 G-95701866		2. INVESTIGATOR'S ID [8][9][2][9]		3. OFFICE CODE [8][3][0]		EPIDEMIOLOGIC INVESTIGATION REPORT	
4. DATE OF INCIDENT YR MO DAY [9][4][0][7][1][4]		5. DATE INVESTIGATION INITIATED		YR MO DAY [9][5][0][7][2][7]			
6. SYNOPSIS OF INCIDENT OR COMPLAINT This investigation was initiated through a fire department contact dealing with a house fire allegedly caused by a toaster oven. The fire caused considerable damage to the home and resulted in the fatality of a 52 year old male and his 9 year old daughter. Since these were the only two persons in the home at the time of the fire very little information is available with regard to activities prior to the fire.							
7. LOCATION (Home, school, etc.) Home [1][0]		8. CITY Kenosha			9. STATE Wisconsin		
10A. FIRST PRODUCT Toaster Oven [0][2][1][6]		11A. TRADE/BRAND NAME, MODEL NUMBER, MANUFACTURER & ADDRESS Black & Decker, Shelton, CT Model TRO500					
10. SECOND PRODUCT None [0][0][0][0]		11B. TRADE/BRAND NAME, MODEL NUMBER, MANUFACTURER & ADDRESS N/A					
12. AGE OF VICTIM [0][5][2]		13. SEX (USE NUMERICAL CODE) MALE - 1 FEMALE - 2 [1] UNKNOWN - 3		14. DISPOSITION Fatality [8]		15. INJURY DIAGNOSIS Anoxia [6][5]	
16. BODY PART All [8][5]		17. RESPONDENT(S) (Mother, Friend) Fire Department [3]		18. TYPE INVESTIGATION ON SITE - 1 TELEPHONE - 2 [3] OTHER - 3		19. TIME SPENT TR: 2.0 [][6][][0]	
20. ATTACHMENTS Multiple [9]		21. CASE SOURCE [0][1]		22. REVIEWED BY YR MO DAY [8][1][3][0] [9][5][0][8][2][2]			
23. PERMISSION TO DISCLOSE NAMES (NON-NEISS CASES ONLY) CPSC MAY DISCLOSE MY NAME [] CPSC MAY NOT DISCLOSE MY NAME [XX]							
24. NARRATIVE (See Instructions on Page 2)				25. REGIONAL OFFICE DIRECTOR REVIEW DATE			

ATTACHED:

MFR/PRVLR NOTIFIED *[Signature]*
☒ No Comments made
☒ Comments attached
☒ Excisions/Revisions
☒ Firm has not requested further notice

(USE ADDITIONAL SHEETS IF NECESSARY)

950727CCN2494

SUMMARY:

This investigation was conducted as a follow-up to an area fire department report which indicated that a fire started in or around a one month old toaster oven. The resulting fire spread throughout the kitchen area of the home, along with smoke throughout, causing approximately \$90,000 in damage. There were two fatalities involved, that of a 52 year old father and his nine year old daughter. The fire was discovered by the 80 year old upstairs tenant who heard the lower unit's smoke detector sounding and went downstairs to investigate.

PRE-INCIDENT:

The details of what had happened just prior to this incident are sketchy due to the fact that the deceased were the only two family members home at the time. The 52 year old father worked during the day at a tavern. He came home to look after the 9 year old daughter while the mother left for work in the evening.

The mother was described to me as a "clean fanatic". Her attorney stated that it is his understanding that the toaster oven was used to "brown" the food after being cooked in the microwave oven. Therefore, there would have been a variety of food cooked in the oven, but the attorney I spoke to stated that he would be extremely surprised if the fire was caused in any way by grease or dirt build-up because the mother is a very clean housekeeper.

The toaster oven had been purchased by the mother on 4/26/95 from an area Wal-Mart store. It was mentioned that while it is unknown what was being cooked in the toaster oven on the night of this fire, it was unusual for the husband to use the toaster oven at all. What appeared to be food remains could be seen in the bottom tray of the toaster oven, however it is unknown if this had been the cause of or was there as a result of the fire. It is unknown if anything was being cooked in the toaster oven or if the toaster oven was even being used just prior to the fire.

INCIDENT:

On 7/14/95 at approximately 10:30 p.m., the owner of the home was at home, lying on the sofa in his living room, and watching a baseball game on television. It is unknown if he had fallen asleep on the couch, or the exact action of his nine year old daughter at the time.

The upstairs tenant heard the smoke detector sound and contacted the area fire department.

POST-INCIDENT:

The father was found lying on the couch in the living room and the daughter was found in either the bedroom or bathroom, both deceased. The upstairs tenant stated that she had come in from outside one hour prior to discovering the fire, and did not notice anything unusual the previous hour.

The area of origin was determined as being the toaster oven. The fire investigator stated that there were no other appliances found near the area of origin, except for a microwave oven, which showed signs of fire damage only on the side which faced the toaster oven. The fuse box was examined by the fire investigator and it was found that all fuses marked as being for the kitchen had "popped". The electrical outlet into which the toaster oven had been plugged in, showed no sign of damage on the back of the box. The damage to the face of the outlet appeared to be fire damage.

The toaster oven, as found by the fire investigator at the scene was described as follows: "This toaster oven was found in the area of origin under large amounts of debris. The interior of this oven had extensive fire damage. There was a tray inside that had some charred material on top. This tray was warped from the intense heat. The glass door of the oven had also broken on the top left side if you are facing the toaster. Both side top edges had burned away exposing bare wires. This toaster oven was taken as evidence. The microwave just south of the toaster oven on the same counter had exterior damage on the side towards the toaster oven with less damage on the opposite side. The interior of the microwave had no fire damage."

I spoke to the fire department investigator, and the insurance company investigator who both indicated that there was nothing else anywhere near the counter which could have caused a fire. It is therefore felt that the probability that the toaster oven started the fire is high. The toaster oven is presently being tested by the attorney representing the mother. It is unknown at this point what the results of that testing will be or whether further action against the manufacturer will be warranted. However, due to possible future legal developments, the insurance investigator and the attorney were wary of releasing any additional information. Copies of the test results were requested, and will be forwarded as an addendum to this report if received in the future. Whether these are received and the amount of further cooperation given by the attorney in this case depends on what the test results show.

The attorney instructed the mother not to speak to us about this incident, and therefore, she was unwilling to be interviewed.

PRODUCT INFORMATION:

Manufacturer: Black & Decker
6 Armstrong Road
Shelton, CT 06484

Model: TRO500

ADDITIONAL INFORMATION:

This investigator took photographs of the subject toaster oven at the fire department during my initial visit. At that point, the fire department would not turn over the toaster oven to our agency for testing due to the possibility of a lawsuit. I contacted both the attorney who is looking into this matter and the insurance company investigator in order to request that we be able to look over the toaster oven once their testing is completed.

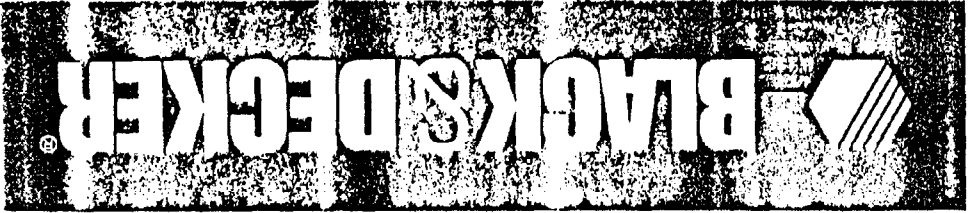
This investigator indicated our interest in obtaining the subject toaster oven to the attorney and requested that he get back to me upon completion of the testing and indicate whether test results would be made available. Whether this will occur in the future, or whether there is any additional information that will become available, is not known. If any additional information concerning this incident is discovered, it will be forwarded as an addendum to this report upon receipt.

ATTACHMENTS:

Exhibit A-Copy of the Kenosha Fire Dept. Investigation Report

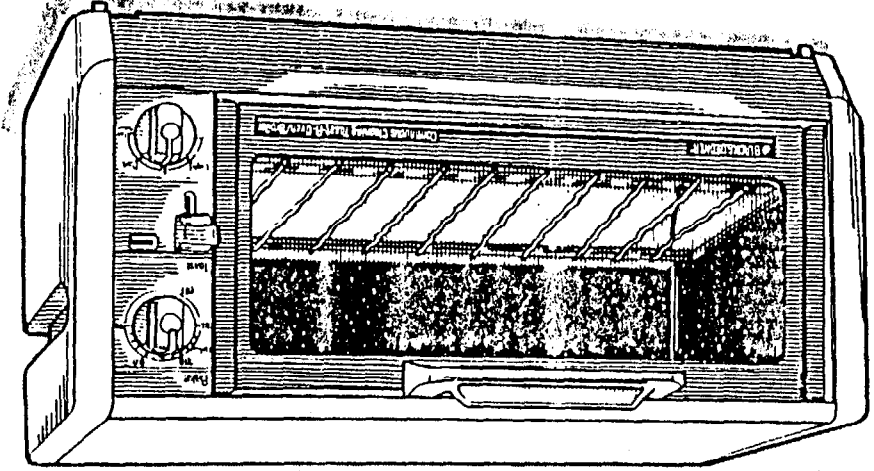
Exhibit B-Photographs of the subject toaster oven taken at the fire department.

Exhibit C-Copy of a "Use and Care" booklet for the subject model toaster oven, obtained through the owner's attorney.



SAVE THIS USE AND CARE BOOK

Toast-R-Oven™ Broilers



#9507870000494

800-231-9786
QUESTIONS? Please call us TOLL FREE
Monday - Friday 8:15 a.m. - 5:00 p.m. Eastern Time.

MODELS TRO51, TRO400 - TRO600

Need Service Or Accessories?

Service, if necessary must be performed by a Black & Decker (U.S.) Inc. Household Appliance Company-Owned or Authorized Service Center. The Service Center nearest you can be found in the yellow pages of your phone book under "Electric Appliances - Small - Repairing."

If mailing or shipping your Toast-R-Oven™, pack it carefully in a sturdy carton with enough packing material to prevent damage. Include a note describing the problem to our Service Center and be sure to give your return address. We also suggest that you insure the package for your protection.

Consumer-replaceable parts and accessories are also available at Black & Decker (U.S.) Inc., Household Appliance Company-Owned or Authorized Service Centers.

Full Two-Year Warranty

Black & Decker (U.S.) Inc. warrants this product against any defects that are due to faulty material or workmanship for a two-year period after the original date of consumer purchase or receipt as a gift. This warranty does not include damage to the product resulting from accident or misuse.

If the product should become defective within the warranty period, we will repair it or elect to replace it free of charge. We will return your product, transportation charges prepaid, provided it is delivered prepaid to any Black & Decker (U.S.) Inc., Household Appliance Company-Owned or Authorized Service Center.

This warranty gives you specific legal rights, and you may also have other rights which vary from state to state. Answers to any questions regarding warranty service/locations may be obtained by writing:

Consumer Assistance and Information
Black & Decker (U.S.) Inc.
6 Armstrong Road
Shelton, CT 06484



Printed in U.S.A.

Pub. No. 168631-07-RV03

**KENOSHA FIRE DEPARTMENT
SUPPLEMENT TO OR INVESTIGATION OF FIRE INCIDENT REPORT**

Fire Department
Incident No. 95-079200

Location: 4603 - 21st Avenue	Time 2226	Date: 7-14-95	Police Dept Complaint No.
Officer Reporting: Fire Investigator Patrick Ryan		Photos: Yes	Names on File:
Investigator: P. Ryan & T. Nelson	Time 2300	Date 7-14-95	Investigation No. 996.

I was notified by Dispatch to respond to a fire to determine origin and cause at 6403 - 21st Avenue at the request of Acting Asst Chief Hafke.

The fire started in the kitchen which is located on the southeast end of the house. The area of origin was on a counter top in the northwest corner of the kitchen. In the area of origin was found to be a toaster oven.

There were cabinets on the west wall and north wall above the counter top. These cabinets had burned up, dropping contents and debris on the counter and floor. South of the toaster oven on the counter in order was a wooden block with knives in it. Next was a microwave oven; going east of the toaster on the counter was the kitchen sink, approximately center counter on the north wall. Above the sink was a light. The top of the counter had burn marks caused from drop down. There were some protected areas from the microwave and knife block and drop down. Facing the toaster as it sat on the counter, There was more damage on the counter to the left of the toaster. A "V" pattern followed to the left and to the right of the toaster oven. There was a protected area behind the microwave. The ceiling joists above the sink had the most amount of burn damage on both sides. The fire had gone under and up the face of the cabinets and rolled across the ceiling and back down the east and south walls.

The north door to the kitchen was open at the time of the fire. The fire had rolled out the door and up the back stair case. The fire burned through the upper half of the door leading to the kitchen of the upper apartment. Fire damage was contained to the kitchen area of the upper apartment with heat and smoke damage throughout the rest of the upper apartment.

The east door off the kitchen had most damage at the top to least damage at the bottom. South of this door, on the east wall, was a stove, small cabinet with counter top and the refrigerator. There were cabinets above the counter and refrigerator. These cabinets had most burn on the top to less damage at the bottom. The stove and refrigerator also had most fire damage from top with less fire damage to the lower portion.

The lower cabinets, under the counter top on the west and north walls, had more fire damage near the top and less fire damage at the bottom. The under edge of the lower cabinet doors were not burned. The interior of these cabinets had only smoke damage, no fire damage was noted.

The south wall had two windows. Both windows had blown out. The top portion of the windows had more damage than the lower portion.

#950727CCN2494

950727CCN 2894

**KENOSHA FIRE DEPARTMENT
SUPPLEMENT TO OR INVESTIGATION OF FIRE INCIDENT REPORT**

Location: 4603 - 21st Avenue	Time 2226	Date: 7-14-95	Fire Department Incident No. 95-079200
Officer Reporting: Fire Investigator Patrick Ryan		Photos: Yes	Police Dept Complaint No.
Investigator: P. Ryan & T. Nelson	Time 2300	Date 7-14-95	Names on File:
			Investigation No. 996.

The kitchen table with four chairs were along the south wall in line with the windows. The top of the table along the edge nearest to the counter on the west wall had fire damage. The tops of the chairs had more fire damage than the lower legs. Fire damage to the underside of the table was caused by drop down.

There were burn patterns on the floor under and around the table. This was caused by drop down. The underside of the legs of the table and chairs had very minimal burn.

The floor was washed down after clearing out the debris. The water pooled in the north west corner of the kitchen. The floor in this area had no fire damage.

The fire rolled out of the kitchen through the west doorway into the dining/living room area and rolled across the ceiling. There was high fire damage to the doorway and the hatches on each side of the doorway. The ceiling and approximately one quarter of the walls from the ceiling down were burned and blistered.

The rest of the first floor had heat and smoke damage.

A smoke detector was located in the north hallway going into the bedroom and bathroom on the upper south wall. The cover and battery were found on the floor and the back side of the detector was still on the wall melted dripping downward.

Toaster Oven - Black & Decker, Model #TR0500

This toaster oven was found in the area of origin under large amounts of debris. The interior of this oven had extensive fire damage. There was a tray inside that had some charred material on top. This tray was warped from the intense heat. The glass door of the oven had also broken on the top left side if you are facing the toaster. Both side top edges had burned away. The toaster oven was still plugged in. The outer casing of the plug and cord had burned away exposing bare wires. This toaster oven was taken as evidence. The microwave just south of the toaster oven on the same counter had exterior damage on the side towards the toaster oven with less damage on the opposite side. The interior of the microwave had no fire damage.

The stove in the kitchen had damage to the top from flame heat. The oven had no fire damage inside. There was no indication of anything cooking on the stove at the time of the fire. The wall behind the stove was protected from fire damage.

There were no other sources of ignition in the area of origin. There was no gas service in the area of origin.

950727CEN 2494

**KENOSHA FIRE DEPARTMENT
SUPPLEMENT TO OR INVESTIGATION OF FIRE INCIDENT REPORT**

Fire Department
Incident No. 95-079200

Location: 4603 - 21st Avenue	Time 2226	Date: 7-14-95	Police Dept Complaint No.
Officer Reporting: Fire Investigator Patrick Ryan		Photos: Yes	Names on File:
Investigator: P. Ryan & T. Nelson	Time 2300	Date 7-14-95	Investigation No. 996.

There were no signs of a pour pattern or flammable liquids noted in the area of origin.

The only other appliances found near the area of origin was the microwave. There were no extension cords found in the area of origin.

The cause of this fire is unknown.

Patrick Ryan, Fire Investigator

Tim Nelson, Fire Investigator

Kenosha Fire Department

PR95-79

950727 CEN 2494

KENOSHA FIRE DEPARTMENT SUPPLEMENT TO OR INVESTIGATION OF FIRE INCIDENT REPORT			Fire Department Incident No. 95-079200
Location: 4603 - 21st Avenue	Time 2226	Date: 7-14-95	Police Dept Complaint No.
Officer Reporting: Fire Investigator Patrick Ryan		Photos: Yes	Names on File:
Investigator: P. Ryan & T. Nelson	Time 2300	Date 7-14-95	Investigation No. 996.

The house was closed up for central air conditioning.

The fuse box was examined and found all fuses marked for the kitchen area were popped. The electrical outlet that the toaster oven was plugged into, showed no sign of damage on the back of the box. The damage to the face of the plug appeared to be fire damage.

An initial investigation of the fire was done on 7-14-95 at 11:00 p.m. Two follow-up investigations were conducted on 7-17-95 at 3:00 p.m. and 7-20-95 at 10:00 a.m.

These follow-up investigations were conducted with permission of the property owner.

The Consumer Product Safety Commission was notified. A representative of CPSC came down on 7-27-95 for further information on the toaster oven.

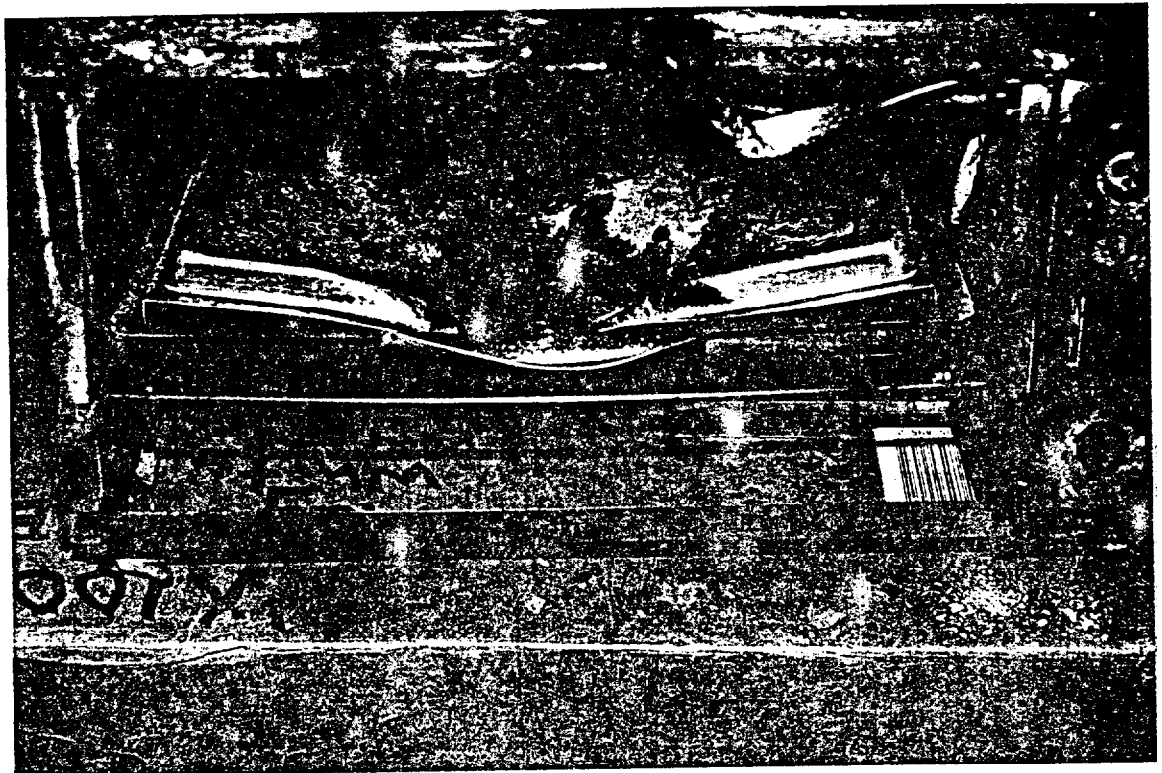
The State of Wisconsin Fire Marshal was notified of this fire and the deaths on 7-15-95.

Patrick Ryan, Fire Investigator

Tim Nelson, Fire Investigator

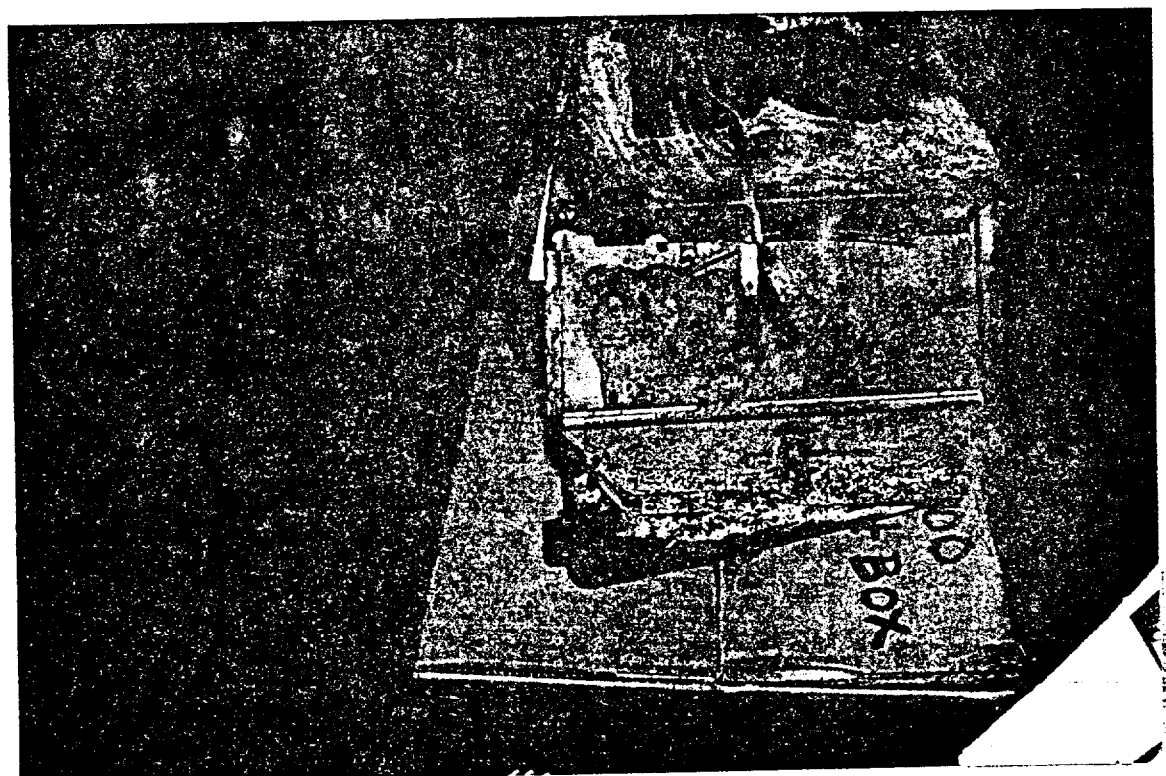
Kenosha Fire Department

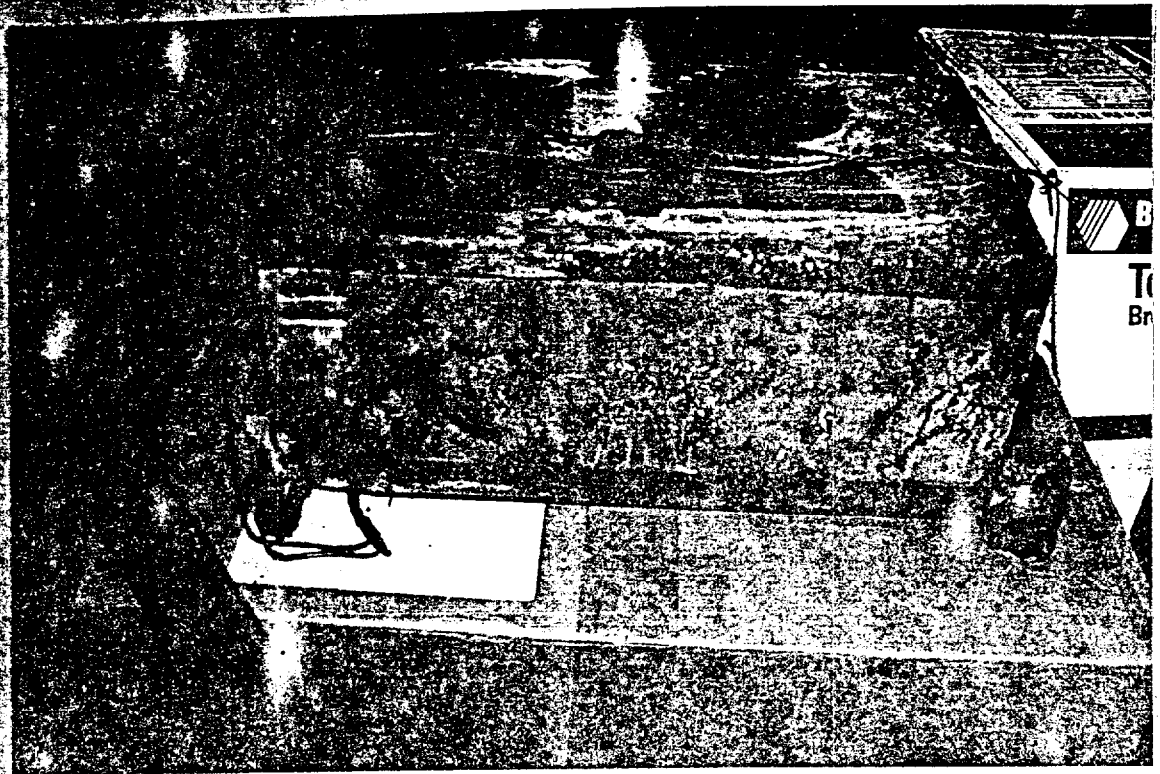
PR95-81



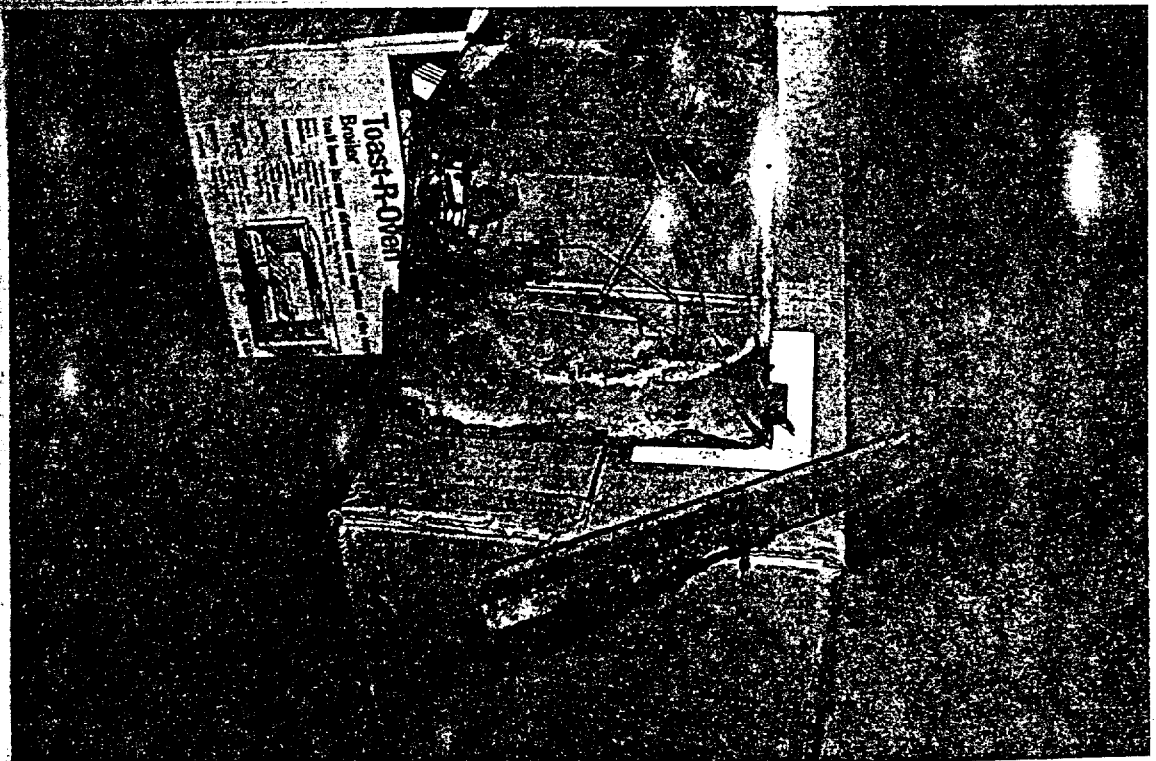
*Photo of toaster oven as
first examined.*

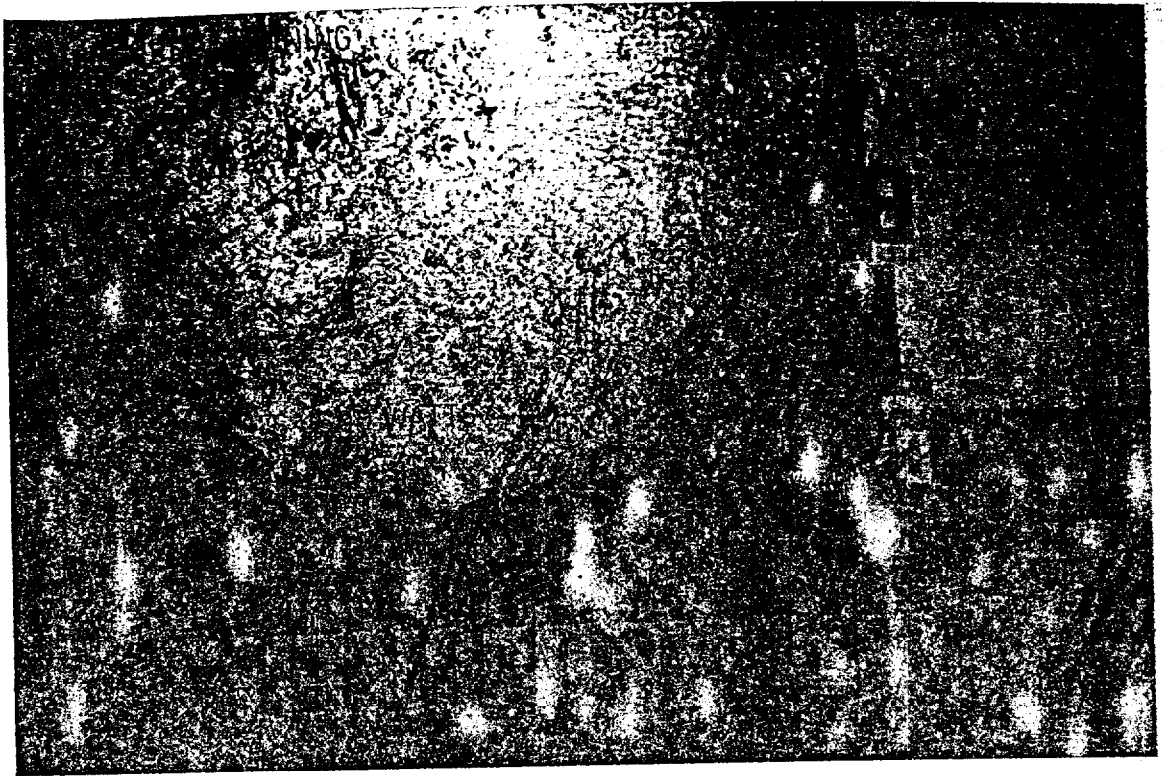
Side View





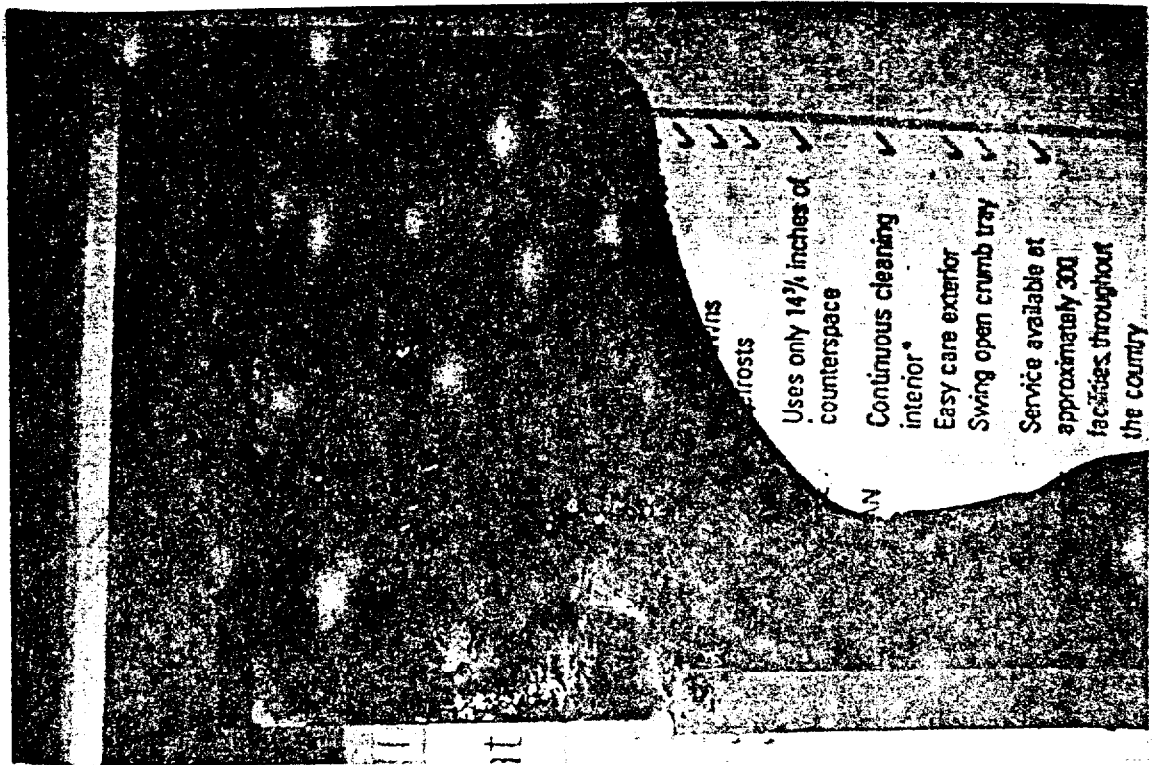
Toaster Oven Back View
Opposite Side View



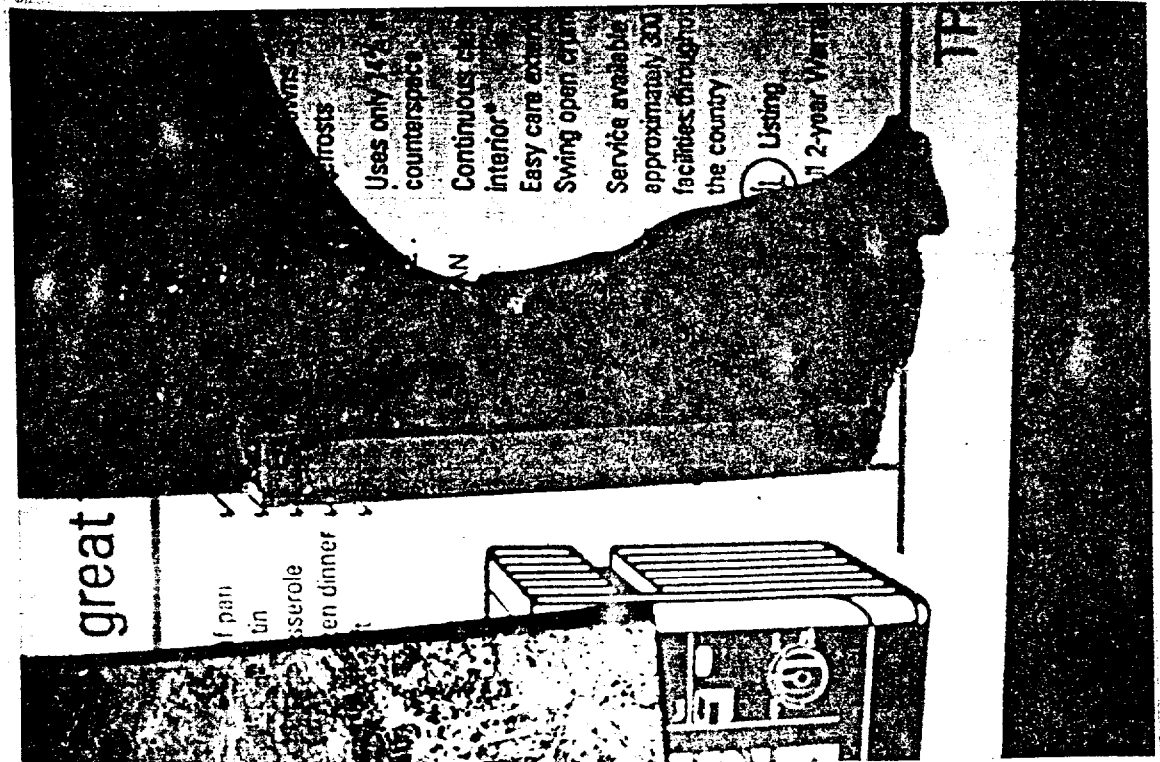


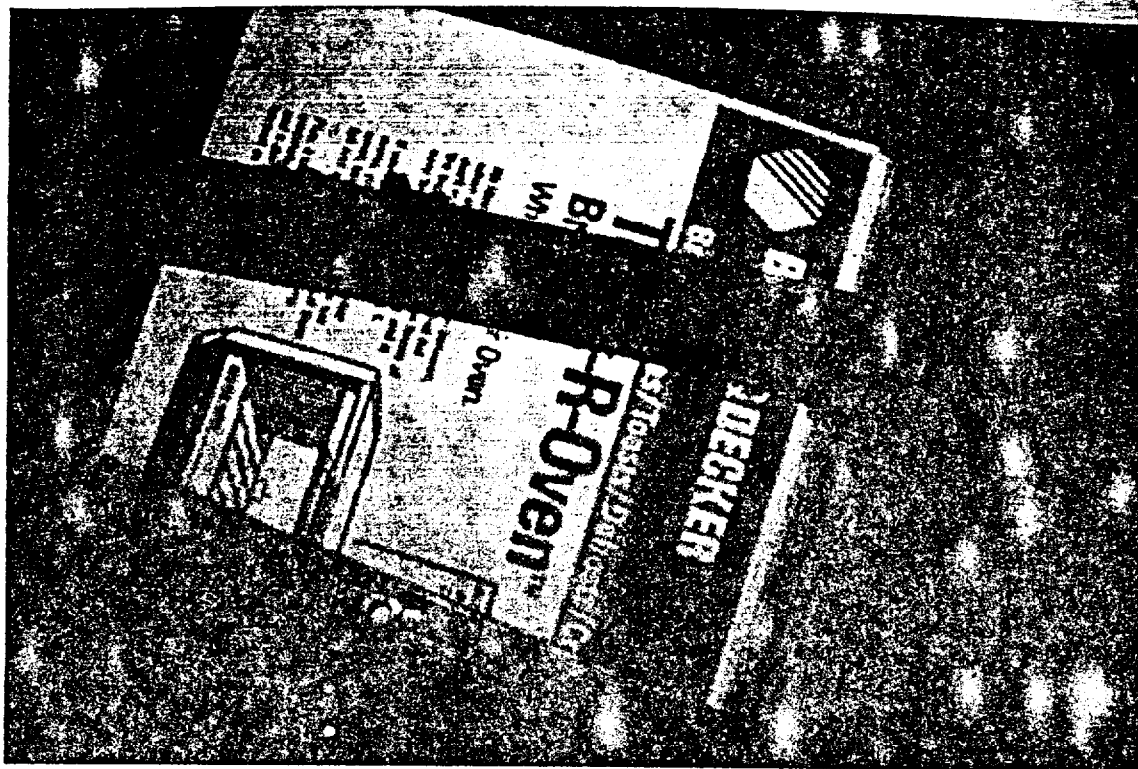
UL Listing-Product Information found on bottom.





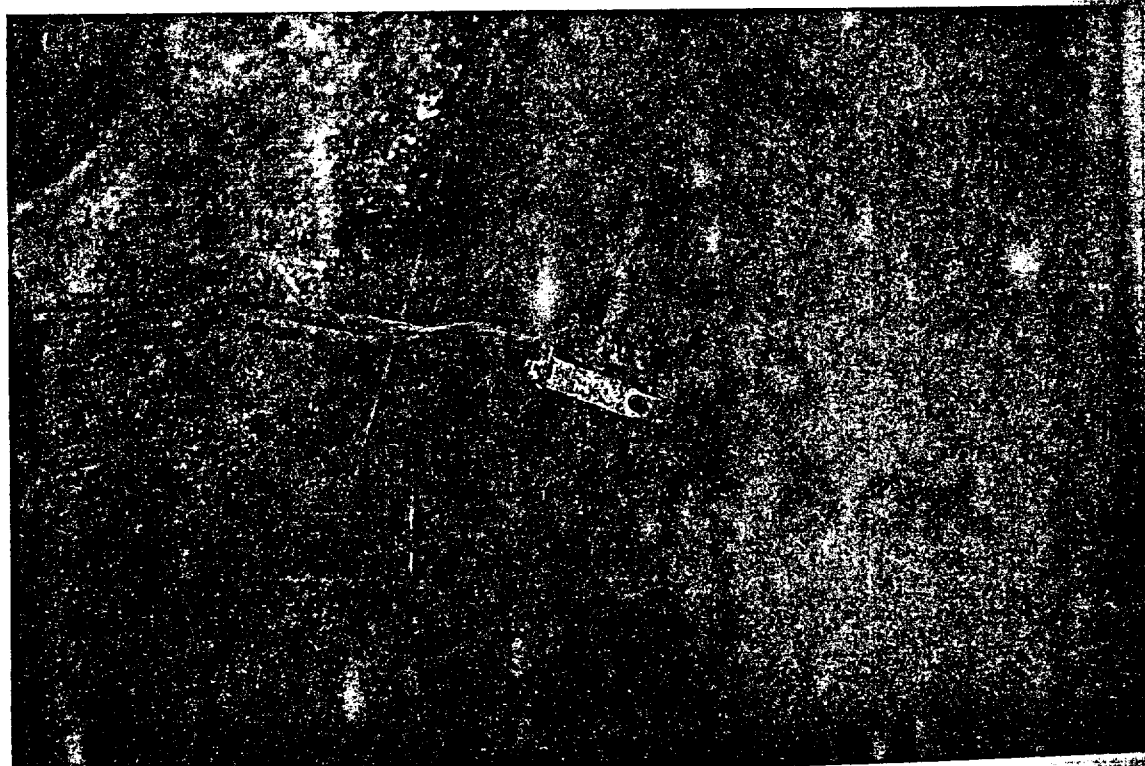
Portions of front, broken glass from door.

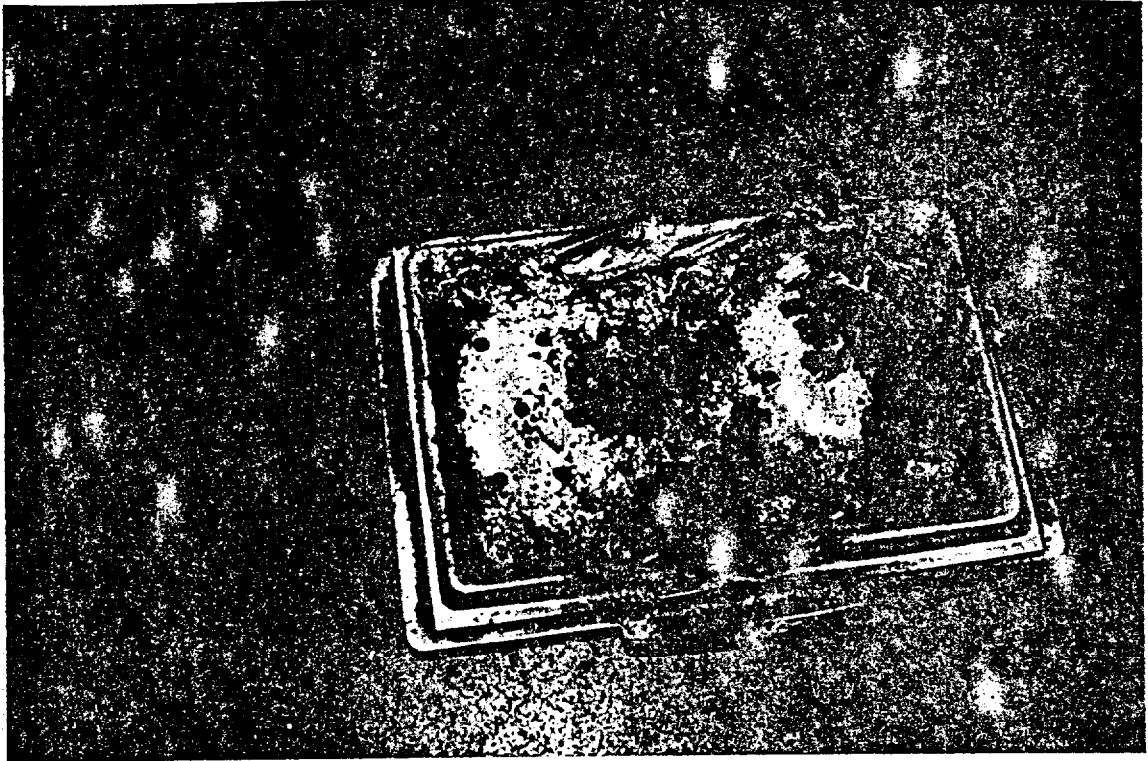




Portion of Broiler cover. (element cover)

Photo of plug end remains

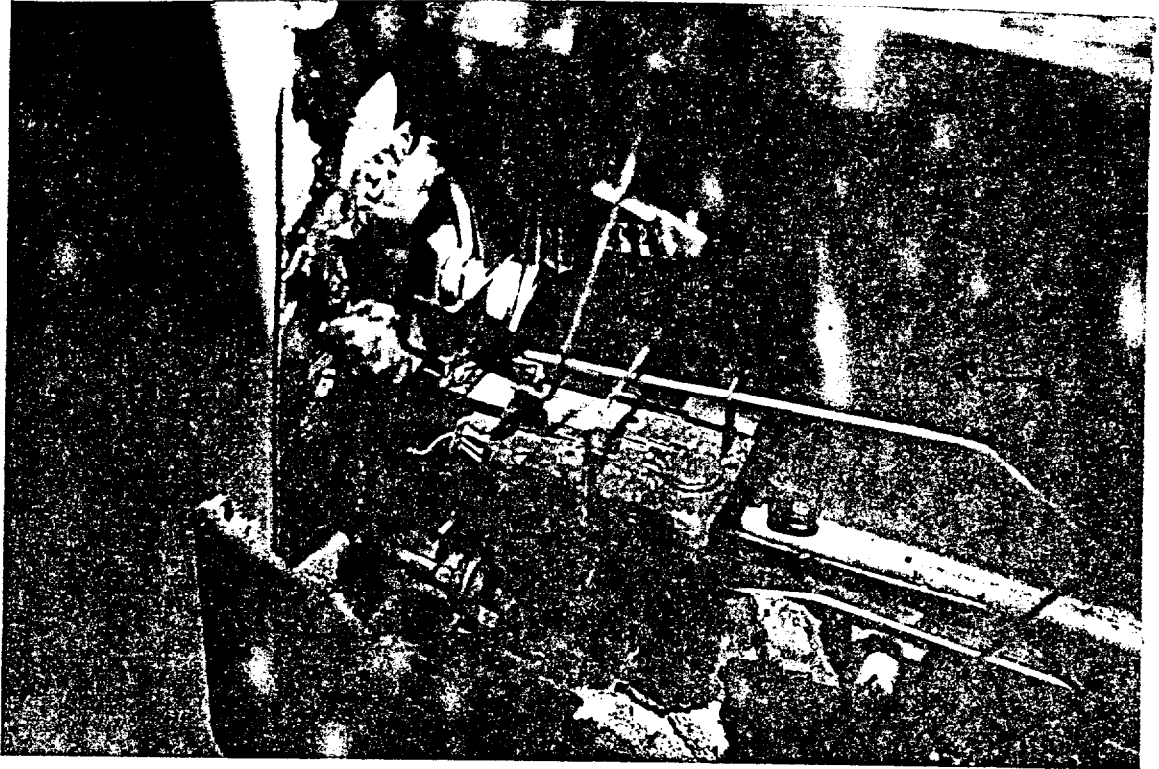




Food Remains on tray

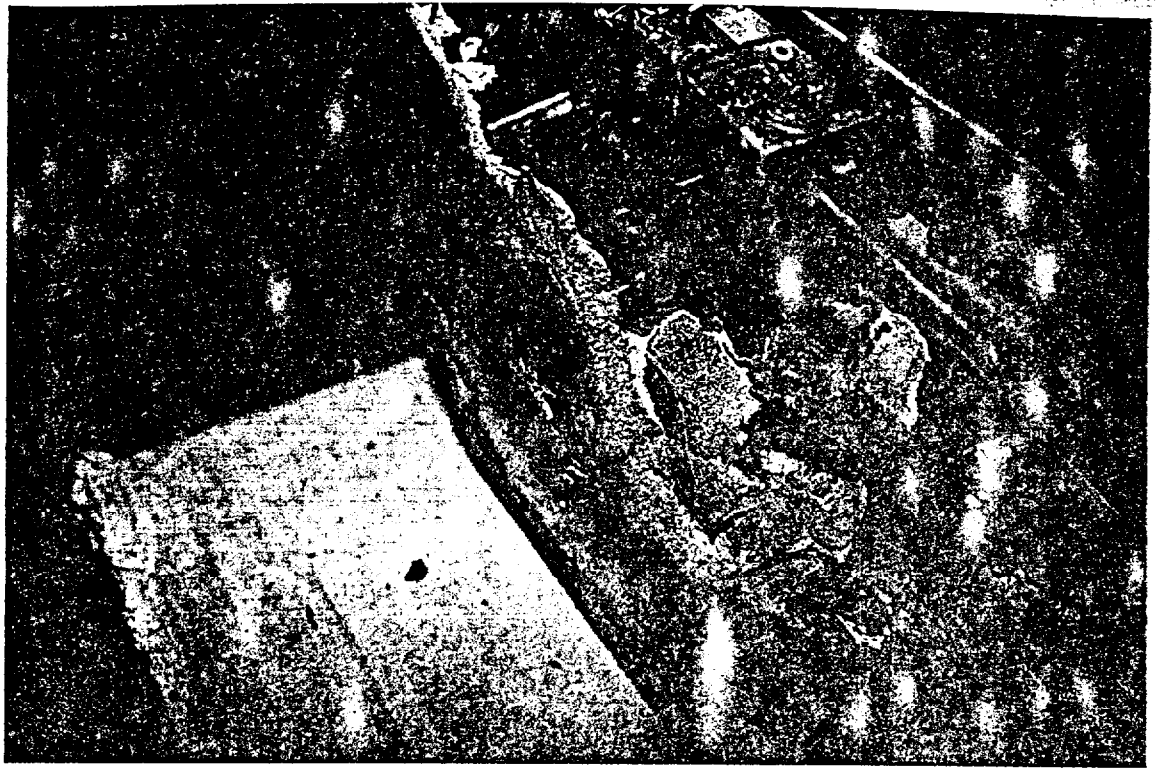
Photos of Elements

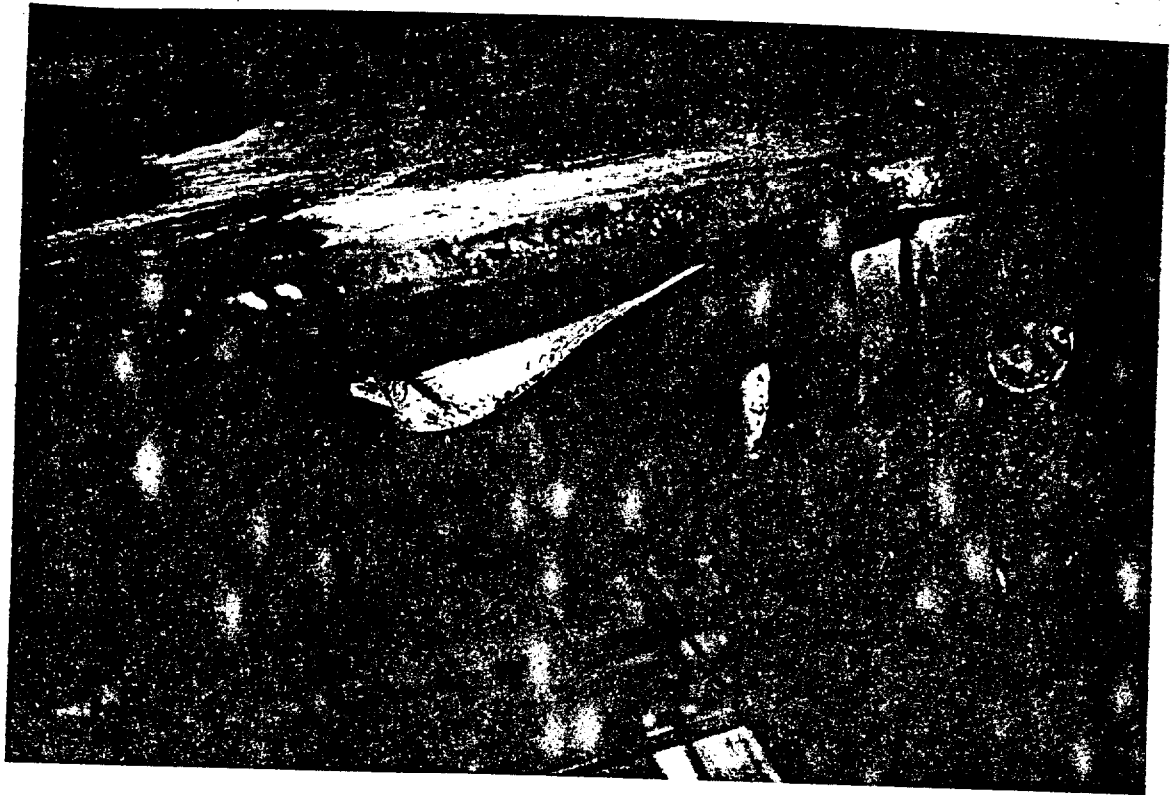




Electrical/Mechanical components







Front of Toaster Oven





Side of Toaster Oven



FE: Robin R.

CONSUMER PRODUCT INCIDENT REPORT

1. Name of Respondent Pat Ryan		2. Telephone No. (Home) (Work) 653-4110	
3. Street Address Kenosha Fire Department		4. City Kenosha State WI Zip Code	
5. Describe accident situation or hazard, including date on injuries. (Use second page if necessary.) Called to determine if we had any information on Black & Decker toaster ovens. Indicated that he has knowledge of two recent fires involving Black & Decker toaster ovens recently; one involving two fatalities. He stated that a second oven was brought into an area fire department station recently due to flaming. Both look identical but have different serial numbers. The one involved in the fire was serial number TR0500 and was one month old. The other is of unknown age and has a serial number of TR0200TYI. He will maintain the toaster ovens for our investigation and would like any available information on these ovens in return.			
6. Date of Incident(s) RECENT	7. If injury or near miss, obtain Age (52) Sex [Male] and describe injury Fatality	8. If victim different from respondent, provide Name: Relationship:	
9. Description of Product Toaster Oven		10. Brand Name Black & Decker	
11. Manufacturer/Distributor Name, Address & Phone Unknown		12. Model, Serial No.'s See Above	
		13. Dealer's Name, Address, & Phone	
14. Was the product damaged, repaired or modified? Yes [] No [] If yes, before or after the incident? Describe:		15. Product purchased New [XX] Used [] Date purchased [] Age [1 month?]	
		16. Does product have warning labels? If so, Note:	
17. Have you contacted the manufacturer? Yes [] No [] If not, do you plan to contact them? Yes [] No [] Other	18. Is the product still available? Yes [XX] No [] If not, its disposition		19. May we use your name with this report? Yes [XX] No []
FOR ADMINISTRATION USE			
20. Date Received 7/24/95	21. Received by (Name & Office) Robin M. Ross-MEE		22. Document No. G 57 01868
23. Follow-Up Action INVESTIGATIONS 950727CCN 2494		24. Product Code(s) 0216	
25. Distribution FOUR, EPDS, FOER, CAL(SIEBERT)		26. Endorser's Name & Title Eric B. Ault, Regional Dir. Kr	